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19 Seven Networks, LLC

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA

22 INTEL CORPORATION and APPLE INC.,

23 Plaintiffs,

24 v.

25 FORTRESS INVESTMENT GROUP LLC,
26 FORTRESS CREDIT CO. LLC, UNILOC
27 2017 LLC, UNILOC USA, INC., UNILOC
28 LUXEMBOURG S.A.R.L., VLSI
TECHNOLOGY LLC, INVT SPE LLC,
INVENTERGY GLOBAL, INC., IXI IP, LLC,
and SEVEN NETWORKS, LLC,

Defendants.

Case No. 3:19-cv-07651-EMC

**PLAINTIFF APPLE INC.'S AND
DEFENDANT SEVEN NETWORKS,
LLC'S JOINT MOTION TO DISMISS
WITH PREJUDICE APPLE'S CLAIMS
AGAINST SEVEN NETWORKS**

Pursuant to the terms of a settlement agreement between Plaintiff Apple Inc. ("Apple") and Defendant SEVEN Networks, LLC ("SEVEN"), Apple and SEVEN hereby jointly move this Court pursuant to Federal Rule of Civil Procedure 41(a)(2) to: (i) dismiss from this action with prejudice all of Apple's claims and requests for damages, injunctive relief, rescission, divesture and any and all other relief sought or that could have been sought in this action by Apple against SEVEN, and (ii) dismiss with prejudice those portions of Apple's claims and requests for damages, injunctive relief, rescission, divesture and any and all other relief sought or that could have been sought in this action by Apple against Defendants Fortress Investment Group LLC, Fortress Credit Co. LLC, Uniloc 2017 LLC, Uniloc USA, Inc., Uniloc Luxembourg S.A.R.L., VLSI Technology LLC, INVT SPE LLC, Inventergy Global, Inc., and IXI IP, LLC (collectively, "Co-Defendants") that are based on allegations or conduct involving SEVEN or any SEVEN Patents (i.e., any patents assigned to, owned by, or controlled by SEVEN), including but not limited to the acquisition of SEVEN and/or the SEVEN Patents and the licensing, enforcement and litigation of any SEVEN Patents (collectively, "SEVEN Matters"). For avoidance of doubt, the dismissal of such claims and requests for relief will cover only the portions of those claims and requests for relief that are based on allegations or conduct involving SEVEN Matters; any portions of those claims and requests for relief that are not based on allegations or conduct involving SEVEN Matters shall not be dismissed. Nothing herein requires dismissal by Apple of any count in the Amended Complaint.

Apple and SEVEN further agree that all attorneys' fees, costs of court, and expenses shall be borne by each party incurring the same.

Dated: December 2, 2020

By: /s/ Mark D. Selwyn

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Respectfully submitted,

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ECF ATTESTATION

I, Samuel F. Baxter, am the ECF user whose ID and password are being used to file
PLAINTIFF APPLE INC. AND DEFENDANT SEVEN NETWORKS, LLC JOINT MOTION
TO DISMISS WITH PREJUDICE PLAINTIFF APPLE INC.'S CLAIMS AGAINST
DEFENDANT SEVEN NETWORKS, LLC. I hereby attest that I received authorization to insert
the signatures indicated by a conformed signature (/s/) within this e-filed document.

By: /s/ Samuel F. Baxter

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

INTEL CORPORATION and APPLE INC.,

Plaintiffs,

v.

FORTRESS INVESTMENT GROUP LLC,
FORTRESS CREDIT CO. LLC, UNILOC
2017 LLC, UNILOC USA, INC., UNILOC
LUXEMBOURG S.A.R.L., VLSI
TECHNOLOGY LLC, INVT SPE LLC,
INVENTERGY GLOBAL, INC., IXI IP, LLC,
and SEVEN NETWORKS, LLC,

Defendants.

Case No. 3:19-cv-07651-EMC

**[PROPOSED] ORDER GRANTING
PLAINTIFF APPLE INC.'S AND
DEFENDANT SEVEN NETWORKS,
LLC'S JOINT MOTION TO DISMISS
WITH PREJUDICE APPLE'S CLAIMS
AGAINST SEVEN NETWORKS**

Presently before the Court is the JOINT MOTION TO DISMISS WITH PREJUDICE APPLE'S CLAIMS AGAINST SEVEN NETWORKS, filed by Plaintiff Apple Inc. ("Apple") and Defendant SEVEN Networks, LLC ("SEVEN"). Apple and SEVEN have advised the Court that they have settled their claims against each other in this matter pursuant to the terms of a settlement agreement between Apple and SEVEN. The Court GRANTS the Joint Motion, and hereby (i) dismisses from this action with prejudice all of Apple's claims and requests for damages, injunctive relief, rescission, divestiture and any and all other relief sought or that could have been sought in this action by Apple against SEVEN, and (ii) dismisses with prejudice those portions of Apple's claims and requests for damages, injunctive relief, rescission, divestiture and any and all other relief sought or that could have been sought in this action in this action by Apple against Defendants Fortress Investment Group LLC, Fortress Credit Co. LLC, Uniloc 2017 LLC, Uniloc USA, Inc., Uniloc Luxembourg S.A.R.L., VLSI Technology LLC, INVT SPE LLC, Inventergy Global, Inc., and IXI IP, LLC (collectively, "Co-Defendants") that are based on allegations or conduct involving SEVEN or any SEVEN Patents (i.e., any patents assigned to, owned by, or controlled by SEVEN), including but not limited to the acquisition of SEVEN and/or the SEVEN Patents and the licensing, enforcement and litigation of any SEVEN Patents (collectively, "SEVEN Matters"). For avoidance of doubt, the dismissal of such claims and requests for relief will cover only the portions of those claims and requests for relief that are based on allegations or conduct involving SEVEN Matters; any portions of those claims and requests for relief that are not based on allegations or conduct involving SEVEN Matters shall not be dismissed. Nothing herein requires dismissal by Apple of any count in the Amended Complaint.

All attorneys' fees, costs of court, and expenses shall be borne by each party incurring the same.

IT IS SO ORDERED.

DATED: _____

EDWARD M. CHEN
UNITED STATES DISTRICT JUDGE